

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL NO. 15-10338-FDS

UNITED STATES OF AMERICA

v.

Oscar Noe Recines Garcia, Julio Esau Avalos-Alvarado, German Hernandez-Escobar, Noe SalvadorPerez-Vasquez, Santos Portillo-Andrade, Herzzon Sandoval, Edwin Guzman, Jose Hernandez-Miguel, Edgar Pleitez, Christian Alvarado, Cesar Martinez, Erick Argueta Larios, Luis Solis-Vasquez, Joel Martinez, Jose Rene Andrade, Hector Enamorado, Henry Santos-Gomez, Rafael Leoner-Aguirre, Hector Ramires, Daniel Menjivar, Angel Pineda, Jose Vasquez, Bryan Galicia-Barillas, Domingo Tizol, Oscar Duran, Edwin Gonzalez, Henry Josue Parada Martinez, Mario Aguilar Ramos, Edwin Diaz, Jairo Perez, Ramiro Guerra, Manuel Martinez, Alexander Alvarenga, Manuel Flores-Valle, Heiner Yovani Gomez, Geiber Acevedo Galvis, Carlos Lovato, Jose Nelsin Reyes-Velasquez, Oscar Ramirez-Cornejo, Mauricio Sanchez, Jose Adan Martinez Castro, Rigoberto Mejia, Modesto Ramirez.

ORDER OF EXCLUDABLE DELAY

Date: June 2, 2016

KELLEY, U.S.M.J.

An interim status conference was held today, June 2, 2016. The case was continued to September 8, 2016 at 3:00 p.m. for a further status conference.

With the agreement of the parties,¹ this court finds and concludes, pursuant to the provisions of 18 U.S.C. § 3161(h)(8) and Section 5(b)(7)(b) of the Plan for Prompt Disposition of Criminal Cases in the United States District Court for the District of Massachusetts (Statement of Time Limits Adopted by the Court and Procedures for Implementing Them, Effective December 2008), that the interests of justice, i.e., to conduct discovery, outweighs the best interests of the public and the defendants for a trial within seventy days of the return of an indictment.

¹ Counsel for Jose Andrade objected to the exclusion of time but the court finds that as this is a complex case the time will be excluded.

Accordingly, it is hereby ordered that, pursuant to the provisions of 18 U.S.C. § 3161(h)(7)(A) and (7)(B)(ii) the Clerk of this Court enter excludable time from today, June 2, 2016, up to and including the date of the next status conference, September 8, 2016.²

/ s / M. Page Kelley
M. PAGE KELLEY
UNITED STATES MAGISTRATE JUDGE

²The parties are hereby advised that under the provisions of Rule 2(b) of the Rules for United States Magistrate Judges in the United States District Court for the District of Massachusetts, any party may move for reconsideration by a district judge of the determination(s) and order(s) set forth herein within fourteen (14) days after receipt of a copy of this order, unless a different time is prescribed by this court or the district judge. The party seeking reconsideration shall file with the Clerk of this Court, and serve upon all parties, a written notice of the motion which shall specifically designate the order or part thereof to be reconsidered and the basis for the objection thereto. The district judge, upon timely motion, shall reconsider the magistrate's order and set aside any portion thereof found to be clearly erroneous in fact or contrary to law. The parties are further advised that the United States Court of Appeals for this Circuit has indicated that failure to comply with this rule shall preclude further appellate review. See Keating v. Secretary of Health and Human Services, 848 F.2d 271 (1st Cir. March 31, 1988); United States v. Emiliano Valencia-Copete, 792 F.2d 4 (1st Cir. 1986); Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603 (1st Cir. 1980); United States v. Vega, 678 F.2d 376, 378-379 (1st Cir. 1982); Scott v. Schweiker, 702 F.2d 13, 14 (1st Cir. 1983); see also Thomas v. Arn, 474 U.S. 140, 106 S. Ct. 466 (1985).